IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.177 OF 2007
IN
CRI.APPLN.NO.178 OF 2007
IN
CRI.W.P.NO.1426 OF 2003

Rajeev S.Modi ..Applicant

Vs.

State of Maharashtra & Anr. ..Respondents

...

Mr.Santosh Murthy i/b Mr.S.V.Marwadi advocate for applicant
Smt.A.S.Pai APP for State
Mr.Amit Sheth Advocate for Respondent No.2
Mr.Pankaj Modi Respondent No.3 in person for Respondent No.3 and Respondent No.4

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : OCTOBER 30, 2007

P.C.

1. Heard the learned advocate for the applicant, the learned advocate for the Respondent No.2 who is the main contesting Respondent. Respondent No.3 Pankaj Modi is present in person and he states that he represents himself as well as Respondent No.4 Ketki Modi who is his wife. There is delay of 293 days caused in filing the Cri.Application No.178 of 2007 for restoration of Writ Petition No.1426 of 2003.

2. Looking to the facts and circumstances of the case, I am inclined to condone the delay subject to payment of costs of Rs.5,000/-. The delay is condoned. The said amount of Rs.5,000/- be paid to the Respondent No.2-original complainant on or before 20.11.2007.

3. Application is disposed of.

[SMT.V.K.TAHILRAMANI, J.]